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In re Application of :
Schwab et al. :
Application No. 09/830972 :
Filing or 371(c) Date: 09/24/2001 :
Attorney Docket Number: :
10200-003-99 :

OFFICE OF PETITIONS

DECISION
ON PETITION

This is a decision on the "Petition for Correction of Filing Date Under 37 C.F.R. §1.10(c)", filed July 23, 2007.

This Petition is hereby **granted**.

Petitioner alleges that the Response to the non-final Office action, mailed December 21, 2006, was deposited in Express Mail service on June 21, 2007. In support of this assertion, the petition is accompanied by a copy of Express Mail label No. EV473971577US. A review of the Express Mail label, No. EV473971577US, reveals that the "Date In" thereon is June 21, 2006. The Express Mail Mailing Label also includes a United States Post Office Date Stamp dated June 21, 2006. The same Express Mail label number was placed on the Response located in the official file.

In view of the above, the petition is granted. No fee has been charged and none is due.

The Power of Attorney and Change of Correspondence Address has been entered and made of record. The address given on the petition differs from the address of record. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

The application is being referred to Scanning Customer Support for correction of the filing date of the Response to June 21, 2007.

Petitioner is advised that the receipt date of correspondence filed during the prosecution of an application is not included on a Filing Receipt. As such, no corrected Filing Receipt will be mailed at this time.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.


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